

Applicant	Coastal Investment Properties LTD.	
Request	Site Plan Approval / Waterway Use / Yard Modification	
Location	2729 – 2735 N.E. 14 Street	
Legal Description	Coral Ridge P.B. 21, P. 50, Block 10, Lots 4-6	
Property Size	37,500 sq. ft. or 0.861 acres	
Zoning	RMM-25	
Existing Land Use	Apartments	
Future Land Use Des.	Medium-High Residential	
Comprehensive Plan Consistency	Consistent	
Required Approvals	None	
Applicable ULDR Sections	47-5 Residential 47-25.2 Adequacy 47-25.3 Neighborhood Compatibility 47-23.8 Waterway use 47-20 Parking 47-23.11 Modification of required yards 47-21 Landscaping	
Setbacks/Yards	Required	Proposed
	Front (South) 25' min	25'
	Rear (North) ½ the height or 23'6", 20' min	23'9"
	Side (West) ½ the height or 23'6", 10' min	26'
	Side (East) ½ the height or 23'6" 10' min	26'
Building Separation	20% of tallest bldg., 10' min	23'
Lot Density	0.861 X 25 = 21 Max.	19
Lot Size	5000 sq. ft. Min	37,500 sq. ft.
Lot Width	50'	300'
Building Height	55' Max	47'
Structure Length	200' Max	2 Bldgs. of 112'6" ea.
Floor Area	N/A	N/A
VUA Landscaping	20% Min.	28%
Landscaping Lot Coverage	35% Min.	35.1%
Open Space	N/A	N/A
Parking	41	45
Notification Requirements	Sign Notice	
Action Required	Approve, Approve with Conditions, or Deny	
Project Planner	Name and Title	Initials
	Kevin Erwin, Planner I	
	Chris Barton, AICP, RLA, Principal Planner	
Authorized By	Bruce Chatterton, AICP, Planning and Zoning Services Manager	
Approved By		

Request:

This is a request for Site Plan Level III approval. The request includes Waterway Use Approval (Section 47-23.8) and Modification of Yards (Section 47-23.11) for a proposed swimming pool in the required rear yard. This site abuts the Rio Encanardo Canal.

Property/Project Description:

This application was originally submitted for the September 17, 2003 Planning and Zoning Board Meeting. The applicant requested that this item be removed from that agenda to allow time for a redesign of the building. The applicant lowered the building by 5' from the original proposal in order to make the proposed development more compatible with the height of other structures within the existing neighborhood. The applicant had originally proposed building heights of fifty-two (52) feet as measured by code and now the buildings are forty-seven (47) feet in height as measured by code. The overall height was also lowered from sixty-two (62) feet, to fifty-six (56) feet. The project now provides side setbacks of twenty-six (26) feet, which are two and a half (2.5) feet in excess of the code required minimum of one half the height of the building, or twenty-three and a half (23.5) feet.

The applicant is proposing to demolish three existing apartment buildings on a site that is zoned RMM-25 and which can accommodate up to twenty-one (21) units at the permitted density. The proposed nineteen (19) dwelling units equal a density of twenty-two and one tenth (22.1) units per acre, which is under the twenty-five (25) units permitted by the zoning district.

The applicant proposes to construct ten (10) four (4) bedroom, six (6) three (3) bedroom, and three (3) two (2) bedroom multifamily units in a pair of five (5) level multifamily buildings. The proposed nineteen (19) units will replace three (3) multifamily residential structures with a total of twenty (20) existing units currently on the property. The site is 37,500 S.F. (0.861 acres) in size with three-hundred (300) feet of existing seawall fronting on the Rio Encanardo Canal. The proposed five (5) level structures are forty-seven (47) feet in height, which is within the maximum fifty-five (55) feet allowed in RMM-25 district, due to the first floor parking level being lowered approximately five (5) feet into the ground the buildings have the appearance of a raised four (4) story building. The structures meet, or exceed the required setback for all yards. The proposed distance between the buildings is twenty-three (23) feet, excluding the bay windows, or seventeen (17) feet if the bay windows are included. The code requires ten (10) feet or twenty (20) percent of the tallest building whichever is greater, which in this case would be ten (10) feet.

Pursuant to the Section 47-23.11, the Board may modify the required yards in RMM-25 when certain criteria are met. The required setback is based on one half the height of the structure and is twenty-three and a half (23.5) feet for the side and rear yards and twenty-five (25) feet for the front yard. The building is setback twenty-six (26) feet on each side

and has bay windows that project two feet two inches beyond the main building line into twenty-five feet in the front. The rear yard provided is twenty-three feet and nine inches.

Waterway uses require a twenty (20) foot landscaped yard adjacent to the bulkhead line. The yard shall not be used for any purpose other than landscaping unless specifically approved by the Planning and Zoning Board. The applicant is requesting to locate the swimming pool and spa, along with the sun deck within the twenty (20) foot yard, five (5) feet from the property line as shown on the plans. The Planning and Zoning Board may approve the pool and deck area as requested, approve the request with modifications or deny the request. Swimming pools and spas, when accessory to a multifamily use, are required to meet the setback required for the district, therefore the applicant is also requesting a yard modification to permit the proposed pool and spa to be located within the landscaped yard. A number of similar pools within the rear yards now exist on other properties along the waterway.

The applicant has indicated that the proposed boat slips are to be for the exclusive use of the upland owners, with no liveaboards permitted. The waterway is 126 feet wide at this point.

Docks are permitted to extend a maximum of ten (10) percent the width of the waterway or twenty (20) feet whichever is less. The proposed docks extend twelve (12) feet and six (6) inches, which is exactly ten (10) percent of the waterway width.

The applicant has provided a narrative outlining compliance with the criteria for yard modification. The narrative is attached as **Exhibit 1**. Staff supports this request and believes that it will not detract from the scenic quality or the tranquility of the waterway.

Yard Modifications:

The following chart summarizes the modifications being requested:

	<u>Required</u>	<u>Proposed</u>	<u>Modification</u>
Front	25'-0"	25'-0"	0'
West Side	23'6"	26'-0"	0'
East Side	23'6"	26'-0"	0'
Rear	23'6"	23'9"	0'
*Pool	20'0"	5'0"	15'

*The **applicant** states that this project meets the ULDR criteria for yard modifications. Specifically, that the proposal meets Section 47-23.11.A.3. In that there is continuity of architectural features and urban scale with adjacent properties and the development utilizes open terraces, changes in the building mass, balconies, variations in the rooflines, and other architectural features. Staff agrees with these findings.*

Parking and Traffic:

The parking requirement for this project is forty-one (41) spaces, with forty-five (45) spaces being provided. All but three (3) spaces are to be provided under the building, with those being provided outside the building envelope in the side yard setbacks. The change from twenty (20) low-rise residential units to nineteen (19) high-rise residential units will generate an increase in the average number of trips per day of 66.22 new trips.

Adequacy and Neighborhood Compatibility:

The applicant has submitted a narrative outlining compliance with adequacy and neighborhood compatibility (attached as **Exhibit 2**) as follows:

The applicant states:

5. *Neighborhood compatibility and preservation*
The project has met applicable code requirements as well as additional review comments from the Development Review Committee. The following are some of the recommended ways that our project has used to address this section:
 - a. *The building is located in an RMM-25 zoning which allows for up to 55' in height. Our building height is at 47'. In this area there is substantial new construction including some existing 4-story buildings as well as other multifamily developments. Our building is setback 26' from adjoining properties in order to maintain the required setbacks established by the city. In fact, the setback requirement is a very effective means mitigating any scale or mass issues from adjoining properties. The increased setback requirement reduces the view angle from the adjacent buildings. The visual and scale impact of some of the existing buildings to each other is actually greater than the impact our building proposes. Other improvements are being done both on and off site, such as the addition of a sidewalk, landscaping the right of way, and relocating the power lines underground, in order to help enrich the neighborhood's appearance.*
 - b. *The parking has been located in a screened covered garage under the building in order to minimize the impact of the required parking. Many of the existing buildings along the street have parking and driveways almost the entire length of the property without sidewalks. In contrast our building limits the driveways to just two locations and instead introduces landscaping and sidewalks for a pedestrian friendly environment.*

- c. Landscaping has been designed to compliment the building and shield the neighboring properties. A decorative fence and pillars along a new pedestrian sidewalk, as well as flowering street trees are proposed.*

Staff Comments:

Staff suggests that the Planning and Zoning Board consider the following factors when determining whether the project complies with neighborhood compatibility. The first of these is the large lot size. The project site consists of three (3) one-hundred by one-hundred and twenty-five (100 X 125) foot lots. This is larger than all but one of the existing development sites in the neighborhood. The large lot size enables the design of larger buildings. Were the two buildings proposed on separate lots they would be a minimum of forty-seven (47) feet apart. The proposed buildings are twenty-three (23) feet apart. If the applicant had proposed a single building, the

building would be limited to two-hundred (200) feet in length. The combined length of these buildings is two-hundred and twenty-five (225) feet.

Due to the location on the waterway, consideration must also be given to the cumulative impact this building and other large structures nearby have on the neighborhood and the views from the waterway.

The buildings as proposed do not incorporate any setbacks at the upper levels. The buildings are however setback twenty-six (26) feet on each side where the code requires a setback of only twenty-three and a half (23.5) feet. This design emphasizes the mass and scale of the buildings. The strong vertical elements of the stair and elevator towers also emphasize the height of the structures. The proposed design accentuates features that contribute to its apparent height.

The project as proposed does however provide space in the neighborhood for much needed landscaping. The predominant pattern of redevelopment in the area is of the townhouse style. While townhouse developments are typically lower in height, the less stringent setback requirements and higher frequency of backout parking, leaves little room for landscape material of any significant size or massing. The project's use of under building parking combined with the increased setback requirements provides the opportunity to provide more significant landscaping than other recent developments in the neighborhood. The Board may wish to consider landscaping as a mitigating factor.

Comprehensive Plan Consistency:

The proposal is consistent with the density permitted in the Medium-High Residential land use category.

Prior Reviews:

This proposal was reviewed by the Development Review Committee on July 8, 2003 and all comments have been adequately addressed.

Planning & Zoning Board Review Options:

1. If the Planning and Zoning Board determines that the proposed development or use meets the standards and requirements of the ULDR and criteria for site plan level III review, the Planning and Zoning Board shall approve or approve with conditions necessary to ensure compliance with the standards and requirements of the ULDR and criteria for the proposed development or use, the issuance of the site plan level III permit.
2. If the Planning and Zoning Board determines that the proposed development or use does not meet the standards and requirements of the ULDR and criteria for the proposed development or use, the Planning and Zoning Board shall deny the site plan level III permit.

Staff Determination:

In the review of compatibility, staff considers the architectural features, height, mass and scale, site arrangement and the overall character of the surrounding neighborhood.

Staff has determined that the height of the proposed structure exceeds that of any existing structures within the neighborhood. Several existing multifamily structures do however have an overall mass that is similar to or exceeds that of the two proposed structures. While the architectural appearance is attractive, it is of a style that is not now well represented within the neighborhood and it incorporates several vertical design elements, primarily on the front or south façade, that emphasize the height of the structure. The density and the setbacks of the proposed structure are consistent with those of other structures within the neighborhood. The proposed space between the two buildings, while it meets the required minimum and is similar to the spaces now existing within the neighborhood, could be increased at the expense of the side yard setbacks on the east and west sides of the property, or through other design changes. The overall neighborhood is comprised of a wide range of building sizes, architectural styles and site arrangements including a mix of single and two family structures of one or two stories and with multifamily structures of two to four stories, as it has evolved over the past fifty years.

Staff has determined that the project as proposed meets the minimum requirements of the RMM-25 zoning district. Staff further finds that the project does not exceed any of the maximum allowable requirements of the RMM-25 zoning district with the single

exception being the proposed pool and spa in the required rear yard. The Planning and Zoning Board must determine whether the project complies with the requirements for Neighborhood Compatibility.

Should the Board approve the proposed development, the following conditions are proposed by staff:

1. The proposed development is in an area that has the potential to generate impacts from construction debris due to high winds and close proximity to existing uses. As such, in order to ensure that construction debris remains on site and does not become a nuisance to neighboring properties, prior to application for a building permit, a Construction Debris Mitigation Plan shall be submitted to include but not be limited to the requirements of the Construction Debris Mitigation Policy as attached, and as approved by the City's Building Official.
2. All construction will require approval from all pertinent environmental review agencies.
3. Site plan approval shall be valid as provided in ULDR Section 47-24.1.M.
4. Final DRC approval.

City of Fort Lauderdale
Building Services Division Construction Debris Mitigation Policy

Section 24-11 Construction Sites, of the City of Fort Lauderdale Code of Ordinances is for the purpose of controlling construction debris. In accordance with the Code, any property under construction is required to contain construction debris on the subject property site. In an effort to ensure that construction debris does not spillover onto adjacent sites, the Building Services Division will require the following mitigation measures as minimum conditions to prevent the spillover of construction debris onto adjacent properties. These measures are to be included in a Construction Debris Mitigation Plan, which will be submitted to the Building Official, prior to the issuance of a building permit for the subject project. Additional measures may be required to ensure compliance with the Code, as deemed necessary by the Building Official.

1. Extermination of the site and buildings prior to demolition. A certificate certifying that the site has been exterminated is required to obtain a demolition permit.
2. Wet demolition of existing buildings is required to minimize dust.
3. Install and maintain a 6' screening (wind blown) on all ground level perimeter site fencing to minimize dust and debris blowing out to surrounding buildings.
4. Adherence to all state and county regulations with regards to the handling of asbestos in existing buildings.
5. Provide for construction employee parking and construction staging areas, to be reviewed and approved by the City's Engineering Department, and as necessary the City's Zoning and Parking Divisions.
6. The Building Division will require measures to minimize the airborne concrete when pouring. Such measures may include, but are not limited to, use of a wet saw when cutting concrete, wind screens around saws on concrete work deck; wind screens on end of concrete pump hose, etc.
7. The Building Division will require measures to minimize airborne debris from all open floors, including but not limited to, a requirement that each floor undergoing construction activity be wrapped to control the spillover of concrete and dust onto adjacent properties.
8. Sweeping compound will be required to minimize dust when sweeping the open floors of the building.
9. Broom cleaning of adjacent streets and sidewalks is required on a daily basis.
10. A hot line telephone number for the subject property is required to address issues as they arise.
11. On site visits by City Building Inspectors and other building officials will occur, as needed, to ensure that the concerns of adjacent property owners regarding construction debris and noise are being properly and timely addressed. The costs incurred for such inspections will be borne by the applicant